

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA, :
:
Plaintiff, : **Case No. 2:07-CR-144**
:
vs. : **JUDGE ALGENON L. MARBLEY**
:
JEFFREY CAPERS :
:
Defendant. :
OPINION & ORDER

On July 31, 2007, the Magistrate Judge issued a *Report and Recommendation* pursuant to 28 U.S.C. § 636(b)(1) urging that the Court accept Defendant Jeffrey Capers's guilty plea. Defendant, represented by counsel, waived his right to appear on the matter before a District Judge. The Magistrate Judge conducted the colloquy required by Federal Rule of Criminal Procedure 11(b). Defendant's plea was knowing, voluntary, free from coercion, and had a basis in fact. Although Defendant was specifically informed of his right to contest the *Report and Recommendation* and the consequences of his failure to do so, he did not object. Accordingly, the Court **ADOPTS** the *Report and Recommendation* and **ACCEPTS** Defendant's plea of guilty to count one of the information.

IT IS SO ORDERED.

s/Algenon L. Marbley
ALGENON L. MARBLEY
UNITED STATES DISTRICT COURT

Dated: February 13, 2008